

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, February 28, 2017, in the Forum of City Hall, was called to order.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and President Copeland.

The invocation was offered by Mr. Copeland, who then led the assembly in the Pledge of Allegiance.

On motion of Mr. Martin, seconded by Mrs. Duncan, members approved the minutes of the January 31, 2017, regular meeting as presented.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

### **FIRST READINGS—ORDINANCES**

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

**282-08** An Ordinance titled, "Confirming and approving Amendment No. 2 to the Hangar Lease between the City and SelectTech Services Corporation, dba SelectTech, at the Springfield-Beckley Municipal Airport."

**272-00** An Ordinance titled, "Amending Ordinance No. 16-66 authorizing an additional expenditure for the City's Radio Maintenance and Tower Construction Contract with Michael Wolf, dba W. S. Electronics, of an amount not to exceed \$30,000."

**88-11** An Ordinance titled, "Confirming and approving a Memorandum of Agreement with DATAMATX, Inc., for utility bill printing, mailing, and postage services to extend the current contract to June 11, 2018, for an amount not to exceed \$195,000."

**51-17** An Ordinance titled, "Authorizing the purchase of four 2017 Ford F-450 cabs and chasses with dump body and snowplow packages from Walt Sweeney Ford, Inc., for an amount not to exceed \$224,860.88, through the Ohio Department of Administrative Services, pursuant to Ohio's Cooperative Purchasing Act in accordance with the provisions of Section 125.04 of the Ohio Revised Code."

**52-17** An Ordinance titled, "Authorizing the purchase of three 2018 Navistar 7400 cabs and chasses for an amount not to exceed \$219,101.73, from Rush Truck Inc., through the Ohio Department of Transportation Cooperative Purchasing Program in accordance with the provisions of Section 5513.01(B) of the Ohio Revised Code."

☞☞☞ Next regular City Commission meeting: March 14, 2017. ☞☞☞

### **FIRST READING—RESOLUTION**

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

**53-17** A Resolution titled, "Declaring it necessary to require the construction or reconstruction of curbs, gutters and sidewalks at the points identified as Section One of *STREETS* and Section One of *SELECTED LOCATIONS* of the 2017 Sidewalk, Curb, and Gutter Program."

☞☞☞ Next regular City Commission meeting: March 14, 2017. ☞☞☞

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**1-17** An Ordinance No. 17-42 titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**36-17** An Ordinance No. 17-43 titled, "Authorizing annexation of City-owned Sewer Pump Station premises on Skinner Lane to the City of Springfield, Ohio, and directing the Deputy City Manager to prosecute the proceedings necessary to effect the said annexation."

On motion of Mrs. Chilton, seconded by Mr. O'Neill, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**37-17** An Ordinance No. 17-44 titled, "Authorizing an expenditure in an amount not to exceed \$80,000 to obtain certified treatment program services from the Mental Health and Recovery Board of Clark, Greene, and Madison Counties, pursuant to Ohio Revised Code Section 4511.191."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**38-17** An Ordinance No. 17-45 titled, "Authorizing the City Manager to enter into a contract with Gary Gilbert, Jr., dba Gilbert's Lawn Service for weed-cutting and lot-clearing services as needed by the City, for an amount not to exceed \$60,000."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**39-17** An Ordinance No. 17-46 titled, "Authorizing the City Manager to enter into a contract with Miller's Property Service, LLC, for weed-cutting and lot-clearing services as needed by the City, for an amount not to exceed \$60,000."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**7-13** An Ordinance No. 17-47 titled, "Amending Ordinance No. 13-08 to correct the Federal Transit Administration Capital grant amount."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**40-17** An Ordinance No. 17-48 titled, "Authorizing the City Manager to enter into a contract for the purchase of street materials with Shelly Materials, Inc., for an amount not to exceed \$308,487.50."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**41-17** An Ordinance No. 17-49 titled, "Authorizing the City Manager to enter into a contract for the purchase of street materials with Valley Asphalt Corporation for an amount not to exceed \$70,000."

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**42-17** An Ordinance No. 17-50 titled, "Authorizing the City Manager to enter into a contract for the purchase of street materials with HEI-WAY LLC for an amount not to exceed \$66,080."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**43-17** An Ordinance No. 17-51 titled, "Authorizing the City Manager to enter into a contract for the purchase of street materials with A & B Asphalt Corporation for an amount not to exceed \$337,400."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**44-17** An Ordinance No. 17-52 titled, "Authorizing the City Manager to enter into a contract for the purchase of sand and gravel with Mechanicsburg Sand and Gravel, Inc., for an amount not to exceed \$115,335."

On motion of Mrs. Duncan, seconded by Mrs. Chilton, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**45-17** An Ordinance No. 17-53 titled, "Authorizing the City Manager to enter into a contract for the purchase of sand and gravel with Enon Sand and Gravel, LLC, for an amount not to exceed \$105,771."

On motion of Mr. O'Neill, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**35-15** An Ordinance No. 17-54 titled, "Confirming and approving an Additional Software License Agreement in connection with the three-year Standard Software Maintenance Agreement with New World Systems Corporation, nka Tyler Technologies, to increase the Agreement amount by \$1,980, for a total amount not to exceed \$439,477."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**243-14** Emergency Ordinance No. 17-55 titled, "Confirming and approving Addendum No. 1 to the contract with BI Incorporated to allow for an alternative type of electronic monitoring equipment; and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**54-17** Emergency Ordinance No. 17-56 titled, "Authorizing release of the City's mortgages on 621 South Plum Street for \$12,859; authorizing the Law Director, Community Development Director, and City Manager to do all things necessary to effectuate the release of said mortgages; and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**266-14** Emergency Ordinance No. 17-57 titled, "Authorizing the City Manager to enter into LPA Agreement No. 26851, Amendment No. 3, between the City and the Ohio Department of Transportation, in connection with the CLA Belmont Avenue Reconstruction Project, Phase 2, PID No. 94814, to reflect the modification of funds provided by ODOT for various project phases; and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**266-14** Emergency Ordinance No. 17-58 titled, "Authorizing the City Manager to enter into Modification No. 1 to Agreement No. 19868 with Korda Nemeth Engineering, Inc., for the CLA Belmont Avenue Reconstruction Project, Phase 2, PID No. 94814, to increase the contract amount by \$217,564, for an amount total contract amount not to exceed \$305,315, and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Chilton, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**227-16** Emergency Ordinance No. 17-59 titled, "Extending a moratorium on the granting of building permits or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana for a period ending July 5, 2017, in order to allow staff members to review applicable Ohio statutes and the Zoning Code relative to such use, and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**56-17** Emergency Ordinance No. 17-60 titled, "Authorizing the City Manager to enter into an Agreement by and between The City of Springfield, Ohio, and the Springfield Police Patrolmen's Association; directing the implementation and performance of the provisions of such agreement; and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

### **EMERGENCY ORDINANCE—HELD**

**47-17** Emergency Ordinance titled, "Amending Ordinance No. 17-39 by increasing the authorized expenditure for the purchase of certain crime lab equipment from Agilent Technologies, by \$536.30 for a total amount not to exceed \$124,577.50, and declaring an emergency."

### **EMERGENCY RESOLUTIONS**

The following emergency legislation was presented for the first time:

**55-17** Emergency Resolution No. 5965 titled, "Extending support from the City Commission of The City of Springfield, Ohio to an Ohio Historic Preservation Tax Credit application made by Wren Building Partners, LLC, to enable the redevelopment of the Wren Building (formerly the McAdams Building at 31-37 East High Street), and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**57-17** Emergency Resolution No. 5966 titled, "Consenting to the appointment of Jeanette Anderson to serve as the City Planning Board's Representative to the Board of Zoning Appeals; and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Chilton, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**58-17** Emergency Resolution No. 5967 titled, "Consenting to the reappointment of Ravi Shankar to the City Planning Board, and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**59-17** Emergency Resolution No. 5968 titled, "Appointing Jack Legg to the Human Relations Board, and declaring an emergency."

On motion of Mr. Martin, seconded by Mr. O'Neill, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**184-16** Correspondence from Deputy Law Director Burkholder concerning the order from the Division of Liquor Control transferring a liquor permit to Main Stop Food Mart, 637 West Main Street.

**60-17** Notification for the Ohio Department of Liquor Control of a request for a new liquor permit for Un Mundo Café, LLC, 117 South Fountain Avenue.

**61-17** Notification for the Ohio Department of Liquor Control of a request to transfer a liquor permit to Reid Park Limited, 1325 South Bird Road and patio.

### **COMMENTS ON AGENDA ITEMS**

**51-17, 52-17** Service Director Moore reported that the four Ford trucks and the three Navistar cabs and chasses will be purchased with either permanent improvement funds or sewer revenue funds.

**54-17** With regard to the release of mortgages on property at 621 South Plum Street, Housing Rehabilitation Coordinator Leinasars stated that the City will accept \$12,859 from the current owner in lieu of pursuing foreclosure since there was no way to determine how much the City might receive at the conclusion of the foreclosure process.

**266-14** City Manager Bodenmiller stated that the Belmont Avenue Reconstruction Project would begin in 2018. The proposed ordinance allows ODOT to move money from one phase of the project to another.

Mr. Copeland stated that the funding for the Belmont Avenue Reconstruction Project could not be used for City operations, but only for the second phase of this street project.

**227-16** Law Director Strozdas advised the City Commission that a full complement of rules and regulations from various state entities regarding the medical marijuana law does not exist at this time. The process continues. He was not aware of any date by which state entities intended to finalize their regulations. Over the next few months, City staff members will prepare a recommendation for the City Commission. The extended moratorium will expire July 5, 2017. By that date, Mr. Strozdas hoped the City Commission's final decision on the medical marijuana question would be answered, legislated, and effective.

Mr. Martin stated that the City Commission's decision on the matter was limited to land use and zoning; however, he requested a summary of the state's progress with regard to regulations in conjunction with staff members' recommendation.

**56-17** Mr. Copeland offered his appreciation to the Springfield Police Patrolmen's Association. With the City's

financial future unknown prior to the May election, SPPA union members ratified a one-year contract with no pay increases.

**COMMENTS FROM THE COMMISSION**

Mrs. Chilton thanked the congregation of the Lawrenceville Church of God. Church members prayed for public officials throughout February.

**COMMENTS FROM THE AUDIENCE**

**227-16** Ms. Renea Turner, 42 North Fountain Avenue, stated she possessed information on the forthcoming state regulations concerning medical marijuana. She invited City Commissioners to make contact regarding their questions. She noted that the medical marijuana industry would benefit the community.

**15-17** Mr. Raymond Upshaw, 325 West Liberty Street, offered comments on leadership.

Mr. David Sanford, 514 Fremont Avenue, discussed various property concerns in the area of South Yellow Springs and West Pleasant streets.

Mr. Andrew Rigsby, president of Firefighters Union No. 333, addressed the City Commission concerning a decision made by the Civil Service Commission to lower the standards for the firefighter entry exam. Union members are opposed to this change in standards.

Mr. Bodenmiller advised the City Commission that the City's standard for the position of firefighter has not changed. The Civil Service Commission changed the passing score on the firefighter's exam.



There being no further business, on motion of Mr. Martin, seconded by Mrs. Chilton, the meeting adjourned.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

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PRESIDENT OF THE CITY COMMISSION

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CLERK OF THE CITY COMMISSION